

Message Text

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13

ACTION PM-07

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R 130745Z JUL 73

FM AMEMBASSY CANBERRA

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INFO NAVELEXSYSCOM FOR PME-119

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C O N F I D E N T I A L CANBERRA 3892

E.O. 11652: GS

TAGS: MARR, AS, US

SUBJ: PROJECT OMEGA: DECLASSIFICATION OF FIVE EMBASSY
NOTES

REF: A) STATE 129705 B) STATE 128714 C) CANBERRA 3575

1. BEGIN SUMMARY: DFA NOTE JULY 11, 1973 AGREES TO ALL
OF CONDITIONS REGARDING DECLASSIFICATION OF FIVE EMBASSY
NOTES STATED REF A. DFA RESPONSE TO CONDITIONS STATES
JOINT COMMITTEE ON FOREIGN AFFAIRS AND DEFENSE MAY
"PUBLISH" PORTIONS OF EMBASSY NOTES BUT DFA OFFICER
STATES SUCH "PUBLICATION" CANNOT BE CONSIDERED TO BE
PUBLICATION BY GOVERNMENT IN ANY LEGAL SENSE. END SUMMARY.

2. EMBOFF RECEIVED FROM PLATT, ECONOMIC POLICY SECTION
OF DEPARTMENT FOREIGN AFFAIRS, NOTE DATED JULY 11, 1973
IN RESPONSE TO EMBASSY NOTE BASED UPON REF A. TEXT
OF DFA NOTE IS:

QTE THE DEPARTMENT OF FOREIGN AFFAIRS PRESENTS
ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES
OF AMERICAN AND HAS THE HONOUR TO REFER TO THE EMBASSY'S
NOTE NO. 136 OF 5 JULY (BASED ON REF A) CONCERNING
THE INCLUSION OF FIVE EMBASSY NOTES IN THE ARTMENT
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OF FOREIGN AFFAIRS' SUBMISSION ON THE INNER QTE OMEGA

PROJECT END INNER QTE TO THE PARLIAMENTARY JOINT
COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE.

QTE THE DEPARTMENT OF FOREIGN AFFAIRS AGREES THAT
UNITED STATE APPROVAL TO INCLUDE THESE NOTES IN ITS
SUBMISSION SHOULD NOT BE CONSTRUED AS A PRECEDENT.
WHILE THE DEPARTMENT IS ABLE TO CONFIRM THAT IT IS NOT
THE INTENTION OF THE AUSTRALIAN GOVERNMENT TO PUBLISH
THE NOTES THE DEPARTMENT CONSIDERS THAT IT IS LIKELY
THAT THE JOINT COMMITTEE WILL PUBLISH THE NOTES, OR PARTS
OF THEM, E.G. THEY MIGHT BE INCLUDED IN THE RECORDS OF
THE PROCEEDINGS OF THE JOINT COMMITTEE AND POSSIBLE IN
ITS REPORT. THE EMBASSY WILL BE AWARE THAT THE JOINT
COMMITTEE HAS INDICATED THAT IT WILL PLACE EMPHASIS ON
THE QUESTIONS OF CONTROL AND OWNERSHIP OF THE PROPOSED
OMEGA INSTALLATION AND IT IS NECESSARY TO HAVE AN
ACCURATE UNDERSTANDING OF THE TERMS OF THE PROPOSED
DRAFT AGREEMENT BEING NEGOTIATED BETWEEN THE TWO GOVERNMENTS
TO PERMIT ANY CONCLUSIONS TO BE REACHED ON THESE
QUESTIONS.

QTE THE DEPARTMENT NOTES THE DESIRE OF THE UNITED
STATES GOVERNMENT THAT THE ORIGINAL CLASSIFICATION OF
THE NOTES SHOULD NOT BE MENTIONED TO THE COMMITTEE OR
TO THE PUBLIC. THE DEPARTMENT SHARES THIS VIEW AND
DOES NOT PROPOSE TO INDICATE THE ORIGINAL CLASSIFICATION
OF THE NOTES. END QTE.

3. IN EXPLANATION OF PARAGRAPH 2 OF DFA NOTE, PLATT
STATED JOINT COMMITTEE'S "PUBLICATION" OF THE NOTES
WOULD BE IN THE FORM OF HANSARD PROCEEDINGS WHICH GIVE
VERBATIM ACCOUNT OF PARLIAMENTARY ACTIVITIES, OR AS
SPECIAL REPORT PUBLISHED UNDER AUTHORITY OF THE
COMMITTEE. EXAMPLE OF SECOND PUBLICATION IS RECENT
REPORT OF SENATE STANDING COMMITTEE ON FOREIGN AFFAIRS
AND DEFENSE ENTITLED "JAPAN, PUBLISHED IN MARCH 1973,
COPIES OF WHICH HAVE BEEN TRANSMITTED TO DEPARTMENT.
IN RESPONSE TO EMBOFF QUESTION, PLATT STATED IN NEITHER
CASE COULD COMMITTEE PUBLICATION BE CONSIDERED TO BE
GOVERNMENT PUBLICATION IN LEGAL SENSE OF WORD.
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